CUSTOMER NO.: 38107

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of G. MUESCH, et al..	)	Examiner: I. CHAKOUR
Serial No.: 10/552,646	)	Art Unit: 2617
Filed: July 18, 2006	)	Confirmation: 2630
For: **METHOD AND UNIT FOR THE RELIABLE ALLOCATION OF NETWORK ELEMENTS TO A WIRELESS SENSOR NETWORK**	)	
Date of Last Office Action: December 22, 2009	)	
Attorney Docket No.: PHDE030119US /PKRZ 201381US01	)	Cleveland, OH 44114 August 19, 2010

APPEAL BRIEF

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is an Appeal from the third Office Action on the merits of December 22, 2009.

The Notice of Appeal was filed June 22, 2010. The Notice of Appeal fees were previously paid on June 17, 2009.

The 37 CFR 41.20(b)(2) Appeal Brief fee of $540 was previous paid on August 13, 2009. An authorization to charge any additional fees which may be due to the applicant's Deposit Account is attached.

CERTIFICATE OF ELECTRONIC TRANSMISSION

I certify that this **APPEAL BRIEF** and accompanying documents in connection with U.S. Serial No. 10/552,646 are being filed on the date indicated below by electronic transmission with the United States Patent and Trademark Office via the electronic filing system (EFS-Web).

August 19 2010
Date

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(i) REAL PARTY IN INTEREST

The Real Party in Interest is the Assignee, KONINKLIJKE PHILIPS ELECTRONICS, N.V.

(ii) RELATED APPEALS AND INTERFERENCES

None.

(iii) STATUS OF CLAIMS

Claims 2-17 stand rejected.

No claims stand allowed.

Claims 1 has been cancelled.

No claims have been confirmed, withdrawn, or objected to.

The rejection of claims 2-17 (all pending claims) is being appealed.

(iv) STATUS OF AMENDMENTS

No Amendments have been filed subsequent to the Office Action.

(v) SUMMARY OF CLAIMED SUBJECT MATTER

2. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits an encoded light pulse. **{p. 2, l. 32 – p. 5, l. 12; Fig. 3}**

3. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits an encoded radio signal. **{p. 5, l. 9-12; p. 6, l. 18 – p. 8, l. 10; Fig. 3}**

4. A method of allocating network elements to a wireless network, wherein an allocation unit **{ZG; 1}** transmits a code to a first network element **{NE-1; 2}**, which causes the first network element **{NE-1}** to transmit its ID together with the code **{encoded ID}** so that the latter can be received by a second network element **{NE-2; 3}** which allocates the first network element **{NE-1; 2}** to its network **{4}** and wherein the activation of the second network element **{NE-2; 3}** to receive the encoded ID from the first network element **{NE-1; 2}** takes place by receiving the code from the allocation unit. **{p.2, l. 6-17; p. 3, l. 13 – p. 8, l. 34; Figs. 1-4}**

5. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** receives the encoded ID from the first network element **{NE-1; 2}** and transmits it to the second network element **{NE-2; 3}**. **{p. 8, l. 1-28; Fig. 4}**

6. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits a second code which causes the first network element **{NE-1; 2}** to leave the network **{4}** of the second network element **{NE-2; 3}**. **{p. 9, l. 1-24}**

7. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits a second code which causes the second network element **{NE-2; 3}**, which has a network administration function, to break up the network **{4}**. **{p. 9, l. 6-24}**

8. The method as claimed in claim 6, wherein the second code for removing network elements or for breaking up the network **{4}** includes the first code being transmitted over a longer time period or a number of times. **{p. 9, l. 18-24}**

9. An allocation unit **{ZG; 1}** for allocating network elements to a wireless network **{4}**, comprising:

a transmitter **{8}** which transmits, in a user-controlled manner, a code to a first network element **{NE-1; 2}**, which code causes the first network element **{NE-1; 2}** to transmit its ID together with the code to a second network element **{NE-2; 3}** which allocates the first network element **{NE-1; 2}**to its network **{4}**. **{p. 2, l. 6 – p. 8, l. 31; p. 10, l. 21-26; Figs 1-4}**

10. The allocation unit **{ZG; 1}** as claimed in claim 9, wherein the transmitter **{8}** comprises:

a device for transmitting an encoded light pulse and/or an encoded radio signal. **{p. 2, l. 32 – p. 3, l. 2; p. 9, l. 31 – p. 10, l. 2; Figs. 1-3}**

11. The allocation unit **{ZG; 1}** as claimed in claim 9, wherein the code which causes the first network element **{NE-1; 2}** to transmit its ID together with the code causes the second network element **{NE-2; 3}** to receive the first network element ID from the first network element**{NE-1; 2}**. **{p. 3, l. 3 – p. 4, l. 15; Fig. 3}**

12. The allocation unit **{ZG; 1}** as claimed in claim 9, further including:

a receiver **{5}** which receives encoded IDs. **{p. 3, l. 18-21; Fig. 2}**

13. The allocation unit **{ZG; 1}** as claimed in claim 9, further including:

one or more devices which display a respective operating state. **{p. 6, l. 3-7; Figs. 1-3}**

14. The allocation unit **{ZG; 1}** as claimed in claim 9, further including:

a transmitter **{8}** which transmits, in a user-controlled manner, a second code which causes the first network element **{NE-1; 2}** to leave the network **{42}** of the second network element **{NE-2; 3}** or which causes the second network element**{NE-2; 3**, which has a network administration function, to break up the network **{4}**. **{p. 9, l. 6-24; p. 10, l. 21-26}**

15. A system for allocation medical network devices to a wireless network comprising:

an allocation unit **{ZG; 1}** which transmits an encoded code in response to a user command; **{p. 2, l. 6-21; Figs. 1-2}**

a unassigned first medical network device **{NE-1; 2}** which receives the encoded code and transmits an encoded first medical network device ID with the encoded code in response to the reception of the encoded code; **{p. 2, l. 6-10; Figs. 1-2}**

a second medical network medical device **{NE-2; 3}**, assigned to an existing network **{4}** and having network administration functions, which second medical network device **{NE-2; 3}** receives the encoded first medical network device ID and assigns the first medical network device **{NE-1; 2}** to the existing network **{4}** in response to the reception of the encoded code from the allocation unit **{ZG; 1}**. **{p. 2, l. 6-17; p. 2, l. 6 – p. 8, l. 31; Figs. 1-4}**

16. The system as claimed in claim 15, wherein the allocation unit **{ZG; 1}** transmits an encoded light pulse. **{p. 2, l. 23 – p. 5, l. 12; p. 9, l. 31 – p. 10, l. 2; Figs. 1-4}**

17. The system as claimed in claim 15, wherein the allocation unit **{ZG; 1}** transmits an encoded radio signal. **{p. 5, l. 9-12; p. 6, l. 18 – p. 8, l. 10; Figs. 1-4}**

(vi) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 2-4, 9-11, and 13 are fully anticipated in the sense of 35 U.S.C. § 102 by Chiu (US 2004/0068756).

Whether claims 5 and 12 are patentable in the sense of 35 U.S.C. § 103 over Chiu as modified by Eyer (US 2004/0155809).

Whether claims 6, 7, and 15-17 are patentable in the sense of 35 U.S.C. § 103 over Chiu as modified by Khair (US 2002/0109621).

Whether claim 8 is patentable in the sense of 35 U.S.C. § 103 over Chiu as modified by Khair, as further modified by Lui (US 2002/0180622).

Whether claim 14 is patentable in the sense of 35 U.S.C. § 103 over Chiu as modified by Lui.

(vii) ARGUMENT

A. Claims 2-4 Are Not Anticipated By Chiu

Independent **claim 4** is directed to a method of allocating network elements to a wireless network.

By distinction, Chiu is directed to a simplified method for controlling the flow of communications over a network [0005], particularly between first and second devices that already belong to the same network [0010]; abstract.

Second, claim 4 calls for an allocation unit to transmit a code to a first network element which causes the first network element to transmit (1) its ID and (2) the code.

By distinction, the remote controller **400** of Chiu transmits a first control command **520** to the interface unit of a first server **100** [0026]. The first control command is not a code. Even if one were to interpret the first control command **520** as being a code, the server **100** does not transmit the first control command **520** together with its IP address to a receiving device **200**. Rather, Chiu transmits the message **550** to all of the devices on the network [0028]. There is no suggestion of transmitting the first command control on the network **500** along with the message. The message, as described by Chiu, may be a TV show if the server **100** is a personal video recorder, or may be a series of selected songs if the server **100** stores songs [0027]. Rather than transmitting its own ID on the network **500**, the server **100** of Chiu sends its IP address in an encoded signal **560** to the remote controller **400** [0026].

Third, claim 4 calls for a second network element which, when it receives the ID of the first network element and the code, allocates the first network element to its network.

By contrast, the server **100** and the receiving device **200** of Chiu are already in the same network [0005], [0021]. Neither the server nor the receiving device are being allocated to the network **500**. Moreover, the receiving device **200** of Chiu does not receive the ID of the server **100** with a code. As discussed above, the remote **400** sends the server **100** a first control command **520** which is not a code. Moreover, the first server **100** does not send the first control command over the

network **500** to the remote **400**. Nor does the server **100** of Chiu send its ID or IP address to the receiving device **200**. Rather, the server **100** and the receiving device **200** use UPmP by which the server **100** and the receiving device **200** automatically know each other [0026], [0028]. In Internet transmission protocols, each message typically carries the IP address of its sender. But this is just part of the standard Internet protocol and is not part of any technique for allocating two elements to a common network.

The remote controller **400** sends a second control command **530** to the receiving device **200** [0030]. The second control command is not a code. Even if the second control command **530** is interpreted as a code, it is different from the first control command **520**. Moreover, neither the first control command **520** nor the second control command **530** is sent from the server **100** to the receiving device **200**. In the embodiment of [0031], the remote controller **400** does not provide the IP address to the receiving device. Rather, it just identifies which of the various content in its input buffer it wants the second device **200** to pick up. For example, if the server is a personal video recorder, it can send a selected episode of a TV show on the network **500** to all devices, particularly to all devices capable of displaying it. The user then uses the remote controller **400** to tell the selected TV that of all the stored programming in its input buffer, it wants to view the selected episode of the television program.

Fourth, claim 4 calls for the activation of the second network element to receive the ID from the first network element to take place by receiving the code from the allocation unit.

By contrast, the receiving device **200** of Chiu does not receive a code from the remote controller. To the extent that the server **100** might be considered to send its IP address, such sending is merely the standard web-based data transmission protocol in which data packets identify their sender. Moreover, the server **100** may broadcast the message **550** of Chiu to all devices on the network [0028]. The receiving device **200** does not need a code to receive an ID from the server **100**. Moreover, the sending unit's IP address is not encoded in the transmitted data packages, such IP address, even if encoded, is not discussed by Chiu as an ID together with a code.

Accordingly, it is submitted that **claim 4 and claims 2-3 dependent therefrom** are not anticipated by Chiu and that **dependent claims 5-8 dependent therefrom** are patentable therewith.

B. Claim 5 Distinguishes Patentably Over Chiu as Modified By Eyer

Because Eyer was filed after the effective filing date of the present application, Eyer is only a reference against the present application with regard to subject matter disclosed in US Provisional Application Serial No. 60/445,996. The provisional application does include a box in Figure 2, referenced by the Examiner, labeled "home network IR repeater", but this box and its function are not explained in the provisional application.

Claim 5 calls the allocation unit to receive the encoded ID from the first network element and transmit it to the second network element. The infrared repeater of Eyer appears to take a signal from a network audio/visual device and convert it from an electronic signal to an IR signal. Even if one were to put such an IR repeater between the network **500** of Chiu and the receiving device **200**, such combination would not meet claim 5.

Claim 5 calls for the allocation unit to receive and transmit the encoded ID. By contrast, the infrared repeater of Eyer goes between the home network backbone and the receiving device or legacy A/V device V to transmit the electronic signal from the first network device or DTV from an electronic format to an infrared format. First, the Examiner sets forth no compelling reason why one would want to put the IR repeater of Eyer between the network **500** and the receiving device **200**. Second, even if the IR repeating device were positioned between the network **500** and the receiving device **200**, such a combination would not meet the limitations of claim 5. The repeater of Eyer is an addition device; whereas, claim 5 further refines the allocation unit. Replacing the server, the receiving device, or the remote of Chiu with the repeater of Eyer would remove essential function and leave the Chiu network inoperative for its intended purpose.

Accordingly, it is submitted that **claim 5** distinguishes patentably over the references of record.

C. Claim 6 Distinguishes Patentably Over Chiu as Modified By Khair

First, the Examiner makes no compelling case as to why Chiu would want to have the receiving device **200** to have the capability of breaking up the network **500**.

Moreover, [0109] of Khair, referenced by the Examiner, does not disclose transmitting a code which causes a network element to leave a network. Rather, [0109] of Khair describes a function of the base unit **18** in which it stops the data transmission. When the acquisition of the message is stopped, the electrode stops acquiring data and sends an acquisition stopped message to the base unit. Further, [0109] of Khair makes no suggestion of removing a first network element from a network.

Moreover, the home consumer electronics network of Chiu is so non-analogous to the devices used to measure electrical biopotential signals generated by the human body described in Khair that one of ordinary skill in the art would look to Khair when trying to modify Chiu. The functionality of Khair upon which the Examiner is relying is so specific to medical monitoring that there would be no motivation or teaching to apply it to the consumer electronics home network of Chiu. Moreover, it is submitted that if Chiu wanted to remove the server **100** from the network, that Chiu would not cause the receiving unit to transmit a code to remove the server **100**. Rather, it is submitted that because Chiu has already established two-way communications between the remote controller **400** and the server **100**, that Chiu would communicate directly between the remote controller **400** and server **100** and would not communicate between the remote controller **400** and the server **100** via the receiving device **200**.

Accordingly, it is submitted that **claim 6 and claim 8 dependent therefrom** distinguish patentably over the references of record.

D. Claim 7 Distinguishes Patentably Over Khair

Contrary to the Examiner's assertions, [0109] of Khair does not relate to breaking up a network. Rather, [0109] of Khair relates to telling one component to stop acquiring and transmitting data, not to break up a network. Evidence that the network is not broken up may be seen in that the device which stopped acquiring and

transmitting data sends an acquisition stopped message back to the base unit via the network.

Moreover, it is submitted that because Chiu uses the UPmP format, if one wanted to break up the network of Chiu, one would merely disconnect the device from the network and that upon such disconnection, its IP address would be lost and it would be automatically disconnected.

Accordingly, it is submitted that **claim 7** distinguishes patentably over the references of record.

E. Claim 8 Distinguishes Patentably Over Chiu as Modified By Khair, as Further Modified by Lui

Lui discloses a button which, if pressed for a short period of time, launches a default function, and when it is pressed for a longer period of time, launches an alternative function. In this way, Lui enables a device, such as a palm-sized PC which has a limited number of buttons, to effectively increase the number of physical buttons on the device. There is no suggestion in Chiu that such a problem might exist in Chiu, much less that it needs curing.

Moreover, Lui discloses holding a button down longer. Claim 1 calls for transmitting a first code over a longer period of time or number of tries. Even if one were to try to combine Chiu, Khair, and Lui, it is submitted that the combination would not teach one of ordinary skill in the art to repeat the second control signal **530** an additional plurality of times to the receiving device **200** (or repeat the first control signal **120** to the server **100**) an additional plurality of times in order to remove the server **100** from the network or break-up the network. Chiu does not address removing elements from the network **500**. [0109] of Khair merely addresses stopping a transmission and does not address removing elements from a network or breaking up a network. Lui merely discloses launching different functions based on how long a button is depressed. It is submitted that one faced with Chiu, Khair, and Lui would not be taught to remove network elements or break up a network by transmitting a code which is used to bring a network element into a network over a longer period of time or a larger number of times.

Accordingly, it is submitted that **claim 8** distinguishes patentably over the references of record.

F. Claims 9, 10, 11 and 13 Are Not Anticipated by Chiu

Claim 9 calls for an allocation unit for allocating network elements to a wireless network. In Chiu, the elements addressed by the Examiner are already part of a network [0005]. If a new device is added to the network of Chiu, it automatically configures itself to be a part of the network with the UPmP protocol, a protocol in which the user does not participate, much less by using a remote controller **400**.

Claim 9 calls for a transmitter which transmits a code to a first network element, which code causes the first network element to transmit (1) its ID together with (2) the code, to a second network element. The remote controller **400** of Chiu sends a first control command **520** to the server **100** to cause the server **100** to send selected information out on the wireless network **500**. The first control command **520** is not a code which is sent by the server **100** together with the IP address of the server **100** to the receiving device **200**.

Second, the transmission **550** which is sent from the server **100** to the receiving device **200** is something in the nature of a TV show, a series of music files, or the like. The message **550** does not cause the server **100** to be allocated to the network **500**. Again, the server **100** was already a part of the network when the first control command **520** was sent.

Accordingly, it is submitted that **claim 9 and claims 10 and 11 dependent therefrom** are not anticipated by Chiu and that **claims 12-14** are patentable over the references of record.

G. Claim 11 is Not Anticipated by Chiu

Claim 11 calls for the code to cause the second network element to receive the first network element ID from the first network element. First, in Chiu, there is no code as described in claims 9 and 11. Second, the receiving device **200** of Chiu receives the messages **550** from the network **500** and the server **100**, even before it receives the second control command **530** [0028]-[0030].

Accordingly, it is submitted that **claim 11** is not anticipated by Chiu.

H. Claim 12 Distinguishes Patentably Over Chiu as Modified By Eyer

Claim 12 is directed to an allocation unit. Neither Chiu nor Eyer are directed to allocation units.

Further, claim 12 calls for a receiver which receives encoded IDs. In the Eyer provisional application, the home network IR repeater appears to receive an electronic representation of IR pulses over the home network backbone which it converts into IR signals. That is, the network IR repeater appears to be nothing more than an electrical pulse to IR pulse translator, which does not cure the shortcomings of Chiu noted by the Examiner. Moreover, the wireless IR repeater is not a part of the remote device of Eyer. The Examiner appears to be interpreting the remote controller **400** of Chiu as being the allocating unit. It is submitted that Eyer does not teach incorporating the network IR repeater into its remote nor into the remote controller **400** of Chiu.

Accordingly, it is submitted that **claim 12** distinguishes patentably over the references of record.

I. Claim 13 is Not Anticipated by Chiu

Claim 13 calls for one or more devices which display a respective operating state. The Examiner directs the applicant to Figure 2 of Chiu. However, Figure 2 of Chiu describes the remote controller **400** which the Examiner appears to be using as the allocation unit. The devices of Chiu which correspond to the claimed one or more devices would appear to be the server **100** and the receiving device **200**, which the Examiner does not assert contains such a display.

Accordingly, it is submitted that **claim 13** is not anticipated by Chiu.

J. Claim 14 Distinguishes Patentably Over Chiu as Modified by Lui

Claim 14 calls for a transmitter which transmits a second code which causes the first network element to leave the network of the second network element or which causes the second network element to break up the network. There is no teaching in Chiu that the receiving device should have, among its various functions,

the ability to remove the server **100** from the network or to break up the network **500**. Lui discloses a physical device, such as a PDA, with a limited number of buttons. Holding one of the buttons of Lui down for a shorter period of time causes it to perform one function, and holding it down for a longer period of time causes it to perform a different function. None of the functions described in Lui include breaking up a network or causing other devices to leave a network.

Accordingly, it is submitted that **claim 14** distinguishes patentably and unobviously over the references of record.

K. Claims 15-17 Distinguish Patentably Over Chiu as Modified By Khair

Claim 15 calls for an allocation unit which transmits an encoded code in response to a user input command. The remote control **400** of Chiu transmits a first control command **520** and a second control command **530**, neither of which are described as being encoded or as being a code.

Claim 15 calls for an unassigned medical network device to receive the encoded code and transmit an encoded first medical device ID with the encoded code. The server **100** of Chiu sends a message **550**, which message is not described in Chiu as being either an encoded code or an encoded ID of the server **100**. Message **550** may include the IP address of the server **100** pursuant to the standard Internet data packet transmission protocol, but there is no description in Chiu that the IP address is encoded. Nor does Chiu teach sending an encoded code which was received from the remote controller as part of the message. Khair was not cited as and indeed does not cure this shortcoming of Chiu.

Claim 15 further calls for a second medical network medical device which is assigned to an existing network and having administrative functions. The receiving unit **200** of Chiu, contrary to the Examiner's assertions, is not described in either [0022] or [0021] as having an administrative function. The receiving device **200** of Chiu can receive messages and send messages, but Chiu does not describe the receiving device **200** as performing any administrative functions.

Claim 15 further calls for the second medical network device to receiving the encoded first medical device ID and to assign the first medical device to the existing network in response to reception of the encoded code from the allocation

unit. Chiu in claim 1 on page 5, referenced by the Examiner, does not disclose or teach assigning the server **100** to the existing network in response to the receiving unit **200** receiving the encoded code from the remote **200**. Rather than assigning the server **100** to the network **500**, the network of Chiu was already part of the network [0005]. Moreover, the remote controller **400** of Chiu transmits a second control command **530** to the receiving device **200**. Chiu does not disclose that the second command control **530** is the same as the first command control **520**, nor that either command control is transmitted as part of the message **550** from the server **100**, much less before the server **100** was part of the network **500**. Khair is not cited as curing these defects of Chiu, and indeed does not.

It is submitted that the Examiner's statement that Khair is in the same field of endeavor as Chiu is incorrect. Khair is concerned with medical monitoring devices; whereas, Chiu is concerned with home networks of consumer electronics [0001].

The applicants challenge the Examiner's assertion that Khair would make it obvious to change the server **100** of Chiu and/or the receiving device **200** of Chiu into wireless medical devices. All of Chiu's examples and discussion relate to consumer electronics, sending information, such as TV shows, music, and the like, among consumer electronics devices.

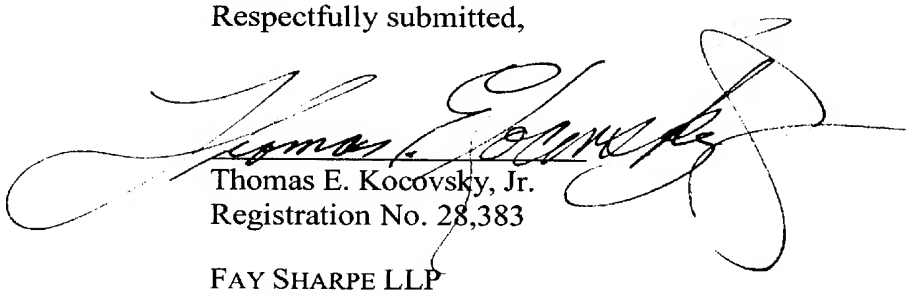
Even if one were to convert the server **100** or the receiving device **200** of Chiu into medical devices, Chiu does not address assigning medical or other devices to a network in the claimed manner. Rather, to the extent devices in Chiu become assigned to the network, Chiu uses a protocol named in [0026], but not described, which automatically puts the device into the network when it is plugged in. Due to the HIPAA requirements for security of medical transmissions, such an automatic system for entering medical devices into medical network would be inappropriate and would violate the HIPAA secrecy requirements. With an automatic system, any random device could enter the network and potentially download or "steal" medical information.

Accordingly, it is submitted that **claim 15 and claims 16 and 17 dependent therefrom** distinguish patentably and unobviously over the references of record.

L. Conclusion

For the reasons set forth above, it is submitted that claims 2-17 are not anticipated by and distinguish patentably over the references of record. An early reversal of all of the Examiner's rejections is requested.

Respectfully submitted,



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(viii) CLAIMS APPENDIX

1. (Cancelled)

2. (Rejected) The method as claimed in claim 4, wherein the allocation unit transmits an encoded light pulse.

3. (Rejected) The method as claimed in claim 4, wherein the allocation unit transmits an encoded radio signal.

4. (Rejected) A method of allocating network elements to a wireless network, wherein an allocation unit transmits a code to a first network element, which causes the first network element to transmit its ID together with the code so that the latter can be received by a second network element which allocates the first network element to its network and wherein the activation of the second network element to receive the encoded ID from the first network element takes place by receiving the code from the allocation unit.

5. (Rejected) The method as claimed in claim 4, wherein the allocation unit receives the encoded ID from the first network element and transmits it to the second network element.

6. (Rejected) The method as claimed in claim 4, wherein the allocation unit transmits a second code which causes the first network element to leave the network of the second network element.

7. (Rejected) The method as claimed in claim 4, wherein the allocation unit transmits a second code which causes the second network element, which has a network administration function, to break up the network.

8. (Rejected) The method as claimed in claim 6, wherein the second code for removing network elements or for breaking up the network includes the first code being transmitted over a longer time period or a number of times.

9. (Rejected) An allocation unit for allocating network elements to a wireless network, comprising:

a transmitter which transmits, in a user-controlled manner, a code to a first network element, which code causes the first network element to transmit its ID together with the code to a second network element which allocates the first network element to its network.

10. (Rejected)The allocation unit as claimed in claim 9, wherein the transmitter comprises:

a device for transmitting an encoded light pulse and/or an encoded radio signal.

11. (Rejected)The allocation unit as claimed in claim 9, wherein the code which causes the first network element to transmit its ID together with the code causes the second network element to receive the first network element ID from the first network element.

12. (Rejected)The allocation unit as claimed in claim 9, further including:

a receiver which receives encoded IDs.

13. (Rejected)The allocation unit as claimed in claim 9, further including:

one or more devices which display a respective operating state.

14. (Rejected)The allocation unit as claimed in claim 9, further including:

a transmitter which transmits, in a user-controlled manner, a second code which causes the first network element to leave the network of the second network element or which causes the second network element, which has a network administration function, to break up the network.

15. (Rejected) A system for allocation medical network devices to a wireless network comprising:

an allocation unit which transmits an encoded code in response to a user command;

a unassigned first medical network device which receives the encoded code and transmits an encoded first medical network device ID with the encoded code in response to the reception of the encoded code;

a second medical network medical device, assigned to an existing network and having network administration functions, which second medical network device receives the encoded first medical network device ID and assigns the first medical network device to the existing network in response to the reception of the encoded code from the allocation unit.

16. (Rejected) The system as claimed in claim 15, wherein the allocation unit transmits an encoded light pulse.

17. (Rejected) The system as claimed in claim 15, wherein the allocation unit transmits an encoded radio signal.

(ix) EVIDENCE APPENDIX

None.

(x) RELATED PROCEEDINGS APPENDIX

There are no related decisions by a Court or the Board in related proceedings.